

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action mailed September 25, 2007. Favorable reconsideration is respectfully requested in light of the above amendments and the following remarks. Claims 1-11 and 19-34 have been canceled, thereby reducing the number of issues for Appeal. Entry of this After-Final Amendment is thus respectfully requested.

Rejection under 35 U.S.C. § 112, second paragraph

Applicants respectfully traverse the Examiner's rejection of claims 1-18 and 29-34 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements. It is noted that claims 1-11 and 29-34 have been canceled, leaving claims 12-18 pending and subject to this rejection. From a review of the Examiner's Response to Arguments, it appears that the Examiner believes that the specification lacks enabling support for a device (other than a field-effect transistor) that is capable of detecting a charge adjacent to a surface thereof. While Applicants do not agree, Applicants respectfully point out that independent claim 12 does in fact recite a field effect transistor (FET).

The Examiner has questioned whether this claim is complete, as the claim recites a gate but does not recite a source and a drain. It is not necessary to expressly recite a source and a drain, as it is axiomatic that a field effect transistor has a source, a drain and a gate. An analogy would be if one were to claim an automobile. It will be recognized that the automobile has an engine, tires and the like, even if not expressly recited in the claim. Similarly, one of skill in the art would recognize that a field effect transistor has a source, a drain and a gate. See, for example, page 10, lines 6-19 of the instant specification, which clearly describe how a field effect transistor functions.

A field effect transistor is a notoriously well-known term. For example, a search of the phrase "field effect transistor" in the United States Patent Office database of issued patents yielded nearly 50,000 hits. A representative patent randomly selected from the search results is

U.S. Patent No. 7,310,505, which describes an electrical device that includes a FET. The second paragraph of the Detailed Description is reproduced below:

The RF amplifier 38 includes a transistor 44 having a gate 46 coupled to the output of the tunable RF filter 36. The transistor 44 also has electrodes 48 and 50. These electrodes may be drain and source electrodes in the case where the transistor 44 is a *field effect transistor* as shown in FIG. 2. However, the transistor 44 may be any other suitable type of an RF transistor.

Clearly, it is well known that a field effect transistor includes a gate, a drain and a source. The claims are appropriate and complete as pending. Favorable reconsideration is respectfully requested.

Applicants respectfully traverse the Examiner's rejection of claims 19-28 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements amounting to a gap between the steps. While Applicants do not agree with the rejection, it is noted that claims 19-28 have been canceled, thereby rendering the rejection moot. Favorable reconsideration is respectfully requested.

Rejection under 35 U.S.C. § 102(b)

Applicants respectfully traverse the Examiner's rejection of claims 1-5, 7, 8, 19-23 and 29-33 under 35 U.S.C. §102(e) as anticipated by Gu et al., U.S. Patent Publication No. 2005/0265914 A1. As previously discussed, the portions of Gu et al. that the Examiner is relying upon are not available as prior art against the instant invention. Regardless, claims 1-5, 7, 8, 19-23 and 29-33 have been canceled, thereby rendering the rejection moot. Favorable reconsideration is respectfully requested.

Rejection under 35 U.S.C. § 103(a)

Applicants respectfully traverse the Examiner's rejection of claim 34 under 35 U.S.C. §103(a) as unpatentable over Gu et al., U.S. Patent Publication No. 2005/0265914 A1, in view of Palti, U.S. Patent No. 5,474,552. Claim 34 has been canceled, thereby rendering the rejection

moot. Applicants do not concede the correctness of the rejection. Favorable reconsideration is respectfully requested.

Conclusion

Reconsideration and reexamination are respectfully requested. It is submitted that, in light of the above remarks, all pending claims are now in condition for allowance. If a telephone interview would be of assistance, please contact the undersigned attorney at 612-359-9348.

Respectfully submitted,

Dated: December 21, 2007



Brian N. Tufte, Reg. No. 38,638
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2402
Telephone: (612) 677-9050
Facsimile: (612) 359-9349